

REMARKS/ARGUMENTS

The Office Action of November 25, 2008 has been carefully reviewed and these remarks are responsive thereto. Claims 39 and 40 have been added in the present paper. No new matter has been added. Claims 1-19 were previously canceled without prejudice or disclaimer. Claims 20-40 are presented for examination upon entry of the present paper. Reconsideration and allowance of the instant application are respectfully requested.

Objections to the Claims

Claim 20 stands objected to based on informalities. Claim 20 has been amended so as to present the subject matter in a more preferred form. Applicants respectfully request withdrawal of the objection to claim 20.

Rejections under 35 U.S.C. § 101

Claims 23-38 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. This rejection is traversed.

Independent claims 23 and 26 have been amended to relate to content internetworking gateways (CIGs). The CIGs are structural entities as described in Applicants originally-filed specification. Indeed, Figure 1 of the originally-filed specification illustrates an internetworking organization of two content delivery networks (CDNs) where a CIG is connected to an origin server, a domain name server (DNS), and a management centre. See also the originally-filed specification at page 3, lines 23-25 and Figure 2 (providing that Figure 2 illustrates the *structures* of a CIG). As such, the referenced claims are not directed to software per se. See the Office Action at page 3. Based on the amendments to claims 23 and 26 (and the amendments to the dependent claims), Applicants respectfully request withdrawal of the section 101 rejection.

Rejections under 35 U.S.C. § 112, second paragraph

Claims 20, 23, 26 and 36 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. This rejection is traversed.

Applicants have addressed the informalities raised in the Office Action at pages 3-4, and have otherwise amended the claims so as to present the recited subject matter in a more preferred form. In particular, with respect to claim 36, Applicants respectfully submit that the rejection was improper, as one skilled in the art would have understood the phrase “may be” to have had a definite meaning when read in light of the originally-filed specification. Nonetheless, Applicants amended claim 36 to substitute the phrase “is configured to be” in place of the phrase “may be.” Applicants submit that this substitution eliminates any indefiniteness that may have existed.

In view of the amendments, Applicants respectfully request withdrawal of the section 112 rejection.

Rejections under 35 U.S.C. § 102

Claims 20, 21, 23, 24, 26-28, 32-35, 37 and 38 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. publication no. 2002/0052942 A1 to Swildens et al. (“Swildens”). Applicants respectfully traverse this rejection.

Amended independent claim 20 recites, among other features, “transferring the routing data to the Directory Name Service or Domain Name Server of the respective CDN so as to update at least one table of the Directory Name Server or Domain Name Server with the routing data to provide access to the clients of the respective CDN to contents associated with the another CDN via the at least one table of the Directory Name Service or Domain Name Server of the respective CDN.”

Swildens fails to disclose the above-noted features recited in claim 20. Instead, Swildens at paragraphs [0038]-[0045] and Figure 1 describes that when a client 111 requests a customer home page from a local DNS 113, the local DNS 113 queries a traffic management system 105 for name and address resolution. Accordingly, Swildens fails to disclose the above-noted features recited in claim 1 because Swildens (at most) describes providing access to the clients of a respective CDN to contents associated with another CDN via traffic management system 105, as opposed to via the at least one table of the Directory Name Service or Domain Name Server. Accordingly, claim 20 is allowable for at least the foregoing reasons.

Independent claims 23 and 26 recite features similar to those described above with respect to claim 20. As such, claim 23 and 26 are allowable for at least reasons substantially similar to those discussed above with respect to claim 20.

Claims 21, 24, 27, 28, 32-35, 37 and 38, which each depend from at least one of claims 20, 23, and 26, are allowable for at least the same reasons as their respective base claims.

Rejections under 35 U.S.C. § 103

Claims 22, 25 and 29-31 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Swildens in view of M. Green, Content Internetworking Architectural Overview ("Green"). Applicants respectfully traverse this rejection.

Notwithstanding whether Green is properly combinable with Swildens, Green fails to cure the deficiencies of Swildens identified above with respect to claims 20, 23, and 26. Claims 22, 25, and 29-31 each depend from at least one of claims 20, 23, and 26, and are allowable for at least the same reasons as their respective base claims.

Claim 36 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Swildens in view of U.S. patent no. 6,289,382 to "Bowman-Amuah". Applicants respectfully traverse this rejection.

Notwithstanding whether Bowman-Amuah is properly combinable with Swildens, Bowman-Amuah fails to cure the deficiencies of Swildens identified above with respect to claim 26. Claim 36 depends from claim 26 and is allowable for at least the same reasons as claim 26.

CONCLUSION

If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

All rejections having been addressed, applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,
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